

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**JAMIE A. McPHERSON
ADC #115330**

PLAINTIFF

v.

No. 3:13-cv-82-DPM-JJV

**JUSTIN KIMBLE,¹ Officer, Poinsett County
Detention Center; BARBA DEXTER, Jailer,
Poinsett County Detention Center; KIM
MUSE, Accountant, Poinsett County Detention
Center; BECKY HITT, Poinsett County Detention
Center; and RON MARTIN, Poinsett County
Detention Center**

DEFENDANTS

ORDER

The Court has considered Magistrate Judge Joe J. Volpe's proposed disposition, *No. 19*.² McPherson has not objected. Recommendation adopted as modified. FED. R. CIV. P. 72(b)(3) (1983 addition to Advisory Committee Notes). Defendants' motion to dismiss, *No. 15*, is granted. McPherson's


¹ McPherson sued Justin Timberlan. Defendants state Justin Timberlan has been improperly identified and the correct Defendant is Justin Kimble. *No. 15 at 1*.

² The Court received the parties' consent to a Magistrate Judge's handling the case to judgment after Judge Volpe filed the proposed findings and recommendations.

complaint is dismissed without prejudice for failure to state a claim. His motion for an injunction, *No* 17, is denied as moot. This dismissal is a strike.

28 U.S.C. § 1915(g).

So Ordered.



D.P. Marshall Jr.
United States District Judge

29 October 2013